

3739/95



P20596.A19

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Minoru MATSUSHITA et al.

Group Art Unit : 3739

Serial No : 09/848,301

Examiner : LEUBECKER, J. P.

Filed : May 4, 2001

For : FLEXIBLE TUBE FOR AN ENDOSCOPE

COMPLETION OF RECORD

U.S. Patent and Trademark Office
220 20th Street S.
Customer Window, Mail Stop _____
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir :

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, Applicants filed a Completion of Record in the above captioned matter, along with an English language translation of Japanese Laid-Open Patent Publication No. HEI 2-283346, on April 12, 2004, along with payment of the Issue Fee. Japanese Laid-Open Patent Publication No. HEI 2-283346 was cited in a Supplemental Information Disclosure Statement filed on March 31, 2004. The Examiner has refused to consider the English language translation of Japanese Laid-Open Patent Publication No. HEI 2-283346 and has returned a copy of the Form PTO 1449 indicating the same.

Applicants respectfully request that the Examiner consider the above material and cite the English language translation of the Japanese document. For the Examiner's convenience, copies of the Japanese document, the PTO-1449 Form, and our date stamped mailroom receipt are being submitted concurrently herewith. The Examiner is requested to initial the appropriate spaces on the attached PTO-1449 Form and to return a copy of the Form to the Applicants with the next official communication in the present application to confirm consideration of this document.

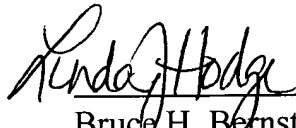
In this regard, Applicants note that since the Supplemental Information Disclosure Statement citing the Japanese document filed on March 31, 2004 was filed subsequent to the issuance of the Notice of Allowance on January 12, 2004, and the Completion of Record citing the English language translation of the Japanese document was filed on the same day that the Issue Fee was paid on April 12, 2004 (which date is also less than three months after the issuance of the communication from the German Patent Office on February 2, 2004), Applicants have included herewith a check in the amount of \$180.00 to cover the fee set forth in 37 C.F.R. §1.17 (p), and Applicants respectfully submit that 37 C.F.R. §§1.97-1.98 have been fully complied with and consideration of the cited document is proper. However, the Commissioner is hereby authorized to charge payment of any necessary additional fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.

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The undersigned furthermore certifies that the translation of Japanese Laid-Open Patent Publication No. HEI 2-283346 was not cited in any communication from a foreign patent office in a counterpart foreign application more than three months prior to the filing of the Completion of Record filed April 12, 2004.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Minoru MATSUSHITA et al.

 Reg No 47348
Bruce H. Bernstein
Reg. No. 29,027

August 9, 2004
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	1	English Language Translation of Japanese Patent Publication No. HEI 2-283346.
		COPY

DATE CONSIDERED

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.